IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.8698 OF 2004

Mr.P.K. Husing for the Petitioner.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 14th September,2005

P.C.:

The application filed by the Petitioner for setting aside the abatement and for condonation of delay in filing that application was dismissed for default on 22-2-2002 because the Petitioner and his lawyer both were absent. In the application filed for restoration the reason that was given why the Petitioner and his lawyer were absent was that on that date the Petitioner was unwell and his lawyer was also unwell. Admittedly, no evidence has been led by the Petitioner to prove the fact that on

22-2-2002 his lawyer and he himself were unwell. In the absence of any evidence being produced on record, no fault can be found with the order rejecting that application. Petition obviously has no substance. It is rejected.

...